TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION	Docket Number (Optional) 05432/100J951-US4

In re Application of: Connie Sanchez et al.

Application No.:   10/644,143 - Conf. #6480

Filed: August 20, 2003

For: TREATMENT OF NEUROTIC DISORDERS

The owner*,   H. Lundbeck A/S   , of   100   percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending **reference** Application Number   10/021,126   , filed on   December 12, 2001   , as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the patent granted on the **reference** application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said **reference** application, "as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** application," in the event that: any such patent: granted on the pending **reference** application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

1.   ☐   For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2.   ☒   The undersigned is an attorney or agent of record. Reg. No.   25,351

_____   January 31, 2005
                    Signature   Date

02/07/2005 BRBRAHA1 00000032 10644143   S. Peter Ludwig
                                                      Typed or printed name
02 FC:1814
                    130.00 OP   (212) 527-7770
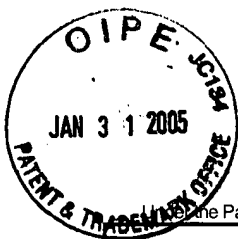   Telephone Number

☒   Terminal disclaimer fee under 37 CFR 1.20(d) is included.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

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STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Connie Sanchez et al.

Application No./Patent No.: 10/644,143 Filed/Issue Date: August 20, 2003

Entitled: TREATMENT OF NEUROTIC DISORDERS

_____ H. Lundbeck A/S _____ , a _____ Corporation _____
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. [X] the assignee of the entire right, title, and interest; or

2. [ ] an assignee of less than the entire right, title and interest.
    The extent (by percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:

A. [X] An assignment from the inventor(s) of the patent application/patent identified above. The assignment
    was recorded in the United States Patent and Trademark Office at Reel _____ 012654 _____ ,
    Frame _____ 0481 _____ , or for which a copy thereof is attached.
OR
B. [ ] A chain of title from the inventor(s), of the patent application/patent identified above, to the current
    assignee as shown below:

    1. From: _____ To: _____
        The document was recorded in the United States Patent and Trademark Office at
        Reel _____ , Frame _____ , or for which a copy thereof is attached.

    2. From: _____ To: _____
        The document was recorded in the United States Patent and Trademark Office at
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    3. From: _____ To: _____
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    [ ] Additional documents in the chain of title are listed on a supplemental sheet.

    [ ] Copies of assignments or other documents in the chain of title are attached.
    [NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be
    submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be
    recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

_____ _____ January 31, 2005 _____
Signature Date

_____ Jay P. Lessler _____ _____ (212)527-7765 _____
Printed or Typed Name Telephone Number

_____ Authorized Signer for Assignee _____
Title

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